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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

**THE ESTATE OF RICHARD JASON
FORREST**, Van Loo Fiduciary Services, LLC,
Personal Representative,

Plaintiff,

v.

MULTNOMAH COUNTY, a political
subdivision of the state of Oregon; **MICHAEL
REESE**, Multnomah County Sheriff,
**CAMILLE VALBERG, KOH METEA,
JAMI WHEELER, JACOB DIAMOND,
STEVEN ALEXANDER**, and **JEFFREY
WHEELER**, acting in concert and in their
individual capacities,

Defendants.

Case No. 3:20-cv-01689-AR

**DECLARATION OF JOE PIUCCI IN
SUPPORT OF PLAINTIFF'S RESPONSE
TO DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

I, Joe Piucci, declare:

1. I am an attorney at the Portland law firm Piucci Law. I am over the age of 18, a member in good standing of the Oregon State Bar, and counsel of record for Plaintiff in the above-captioned matter. If called to testify to the following facts, I would and could competently do so.
2. I make this declaration in support of Plaintiff's Response to Defendants' Motion for Summary Judgment.
3. Attached as exhibits to this declaration are true and correct copies of excerpts of the following deposition transcripts:

Exhibit A:	Alexander, Steven	
Exhibit B:	Blasko, Kim	
Exhibit C:	Brown, Daniel	
Exhibit D:	Diamond, Jacob	
Exhibit E:	Forrest, Chrystal	
Exhibit F:	Hatton, Amy	
Exhibit G:	LaFollette, Jennifer	
Exhibit H:	Lawson, Dr. Eleazar	(Fed. R. Civ. P. 30(b)(6) deposition).
Exhibit I:	Lee, Rachael	(Fed. R. Civ. P. 30(b)(6) deposition).
Exhibit J:	Maxwell, William	
Exhibit K:	McClure, Jason	
Exhibit L:	Metea, Koh	
Exhibit M:	Morrissey O'Donnell, Nicole	
Exhibit N:	Morrison, Kurtis	
Exhibit O:	Obiero, Myque	(Fed. R. Civ. P. 30(b)(6) deposition).
Exhibit P:	Peterson, Derrick	
Exhibit Q:	Propert, Nikki	(Fed. R. Civ. P. 30(b)(6) deposition).

Exhibit R: Reardon, Stephen (Fed. R. Civ. P. 30(b)(6) deposition).
Exhibit S: Reese, Michael
Exhibit T: Robinson, Javontae
Exhibit U: Seale, Michael (Fed. R. Civ. P. 30(b)(6) deposition).
Exhibit V: Seals, Shawn
Exhibit W: Stewart, Stephanie
Exhibit X: Taylor, Jared
Exhibit Y: Teeter, Harold
Exhibit Z: Valberg, Camille
Exhibit AA: Wheeler, Jami
Exhibit BB: Wheeler, Jeffrey
Exhibit CC: Zwick, Joshua

4. Attached as exhibits to this declaration are true and correct copies of exhibits authenticated and admitted in one or more of the depositions referenced above:

Exhibit 3: Forrest Death, Main MCSO Investigation File
Exhibit 3A: Summary Report of Forrest Death Investigation ¹
Exhibit 4: MCSO Work Crew Action Plan
Exhibit 8: MCSO Policy Manual Excerpts
Exhibit 10: Photographs of Dorm Nine, Post-Death
Exhibit 18B: Surveillance Camera Footage of Forrest's Death, 7/25/19
5:42:49 pm – 6:26:38 pm ²
Exhibit 20: Sgt. Maxwell Forrest Incident Report
Exhibit 26: U.S. Department of Justice 2015 MCDC Fentanyl Trafficking
Press Release

¹ While not originally a separate deposition exhibit, pages 10 and 11 of Exhibit 3 are now labelled as Ex. 3A for ease of reference.

² This video is from the camera MCSO has labelled "Phones & Toilets." MCSO produced footage from four other surveillance cameras. No other camera shows the incident and the aftermath as clearly or directly as this camera.

- Exhibit 28:** Selected MCSO Body Scanner Emails ³
- Exhibit 28A:** Additional Selected MCSO Body Scanner Emails ⁴
- Exhibit 33:** Morrissey O'Donnell Email to Maggie Leach, 4/12/18
- Exhibit 39:** Valberg Stalking Protective Order 1/4/19
- Exhibit 40:** Valberg Stalking Protective Order 1/2/20
- Exhibit 43:** Dorm Nine Activity Diary, 6/10/19 – 8/11/19 ⁵
- Exhibit 44:** Work Crew Drug Test Failures, 7/2/19
- Exhibit 46:** Valberg MCSO "Recog Sheet", 8/22/16
- Exhibit 48:** MCHD Organizational Chart
- Exhibit 50:** MCHD Policy – Emergency Services
- Exhibit 51:** MCHD Policy – Narcan (Naloxone) Use
- Exhibit 52:** MCHD Code Cart Inventory Checklist
- Exhibit 56:** 2017 Mass Disaster Drill, Fentanyl Overdose
- Exhibit 58:** Forrest Medical Records, Final Incarceration
- Exhibit 79:** Man-Down Event Report for Forrest's Death
- Exhibit 91A:** Surveillance Camera Footage of Bryan Perry Death ⁶
- Exhibit 97:** Valberg Protected Class Complaint Investigation Unit – Final Investigative Report
- Exhibit 103:** Internal Quality Improvement Death Review, Forrest Death
- Exhibit 105:** Multnomah County Medical Examiner Forensic Examination Report, Forrest Death
- Exhibit 108:** MCHD Corrections Health Quarterly QCI Meeting, 3/9/21

³ Ex. 28 initially contained 100 pages. For brevity, I have included only those that are referenced in the Response.

⁴ Ex. 28A is an authenticated and introduced deposition exhibit and has not been modified in any way.

⁵ Ex. 43 and Ex. 44 were initially produced subject to the Stipulated Protective Order. However, Defendants publicly filed separate versions of the same documents as Exhibits 27 and 28 to the Pedro Decl. Plaintiff agrees the documents should be public.

⁶ Ex. 91A is an authenticated and introduced deposition exhibit. Ex. 91A is a thirteen-minute excerpt of Ex. 91, the longer video of Mr. Perry's death. All of Nurse Valberg's care which is visible on this camera is contained within Ex. 91A.

Exhibit 126: Valberg Employment Reference

Exhibit 129: MCHD Internal Email re: Valberg Reference, 4/2/18

Exhibit 130: MCSO-MCHD Email re: Valberg Application Dishonesty, 4/2/18

Exhibit 134: Valberg Oregon Dept. of Corrections Termination

Exhibit 136: Valberg Chart Note re: Bryan Perry Death

Exhibit 137: Valberg Corizon Termination

Exhibit 146: Multnomah County Sheriff's Office Naloxone Training

Exhibit 161: MCSO Adopted Budget 2018

Exhibit 171: 2023 Found Contraband Spreadsheet, MCDC

Exhibit 172: 2023 Contraband Reports

Exhibit 173: 2023 Found Contraband Spreadsheet, Inverness

Exhibit 183: Sheriff Morrissey O'Donnell, 8/3/23 Community Letter

5. Attached as exhibits to this declaration but filed separately under seal pursuant to the Stipulated Protective Order (ECF 12) are true and correct copies of the following exhibits authenticated and admitted in one or more of the depositions referenced above. Each exhibit was produced by Defendants' counsel in discovery:

Exhibit 29: Lacey 3.21.15 Incident Report

Exhibit 34: MCSO Draft Narcan Policy, 1/4/21

Exhibit 92: MCHD Valberg Workplace Performance Incident Letter,
6/11/2019

Exhibit 95: Valberg "Hire a Black Nurse" Email 7/20/19

Exhibit 98: MCHD Valberg Termination Letter, 9/18/20

Exhibit 190: Multnomah County Medical Examiner Forensic Examination
Report, Josiah Pierce Death 7/19/23

Exhibit 192: Multnomah County Medical Examiner Forensic Examination
Report, Clemente Pineda, 8/1/23

6. Attached as exhibits to this declaration are true and correct copies of additional exhibits, produced by Defendants' counsel in discovery, save for Exhibits 202 and 203:

Exhibit 201: Forrest MCSO Person Hardcopy

Exhibit 202: Chrystal Forrest's Emails with Jason's P.O., April – July, 2019.

Exhibit 203: Jason's 6/21/19 Letter to Chrystal

Exhibit 209: Multnomah County Medical Examiner Forensic Examination Report, Stephen Murphy, 7/26/22

Exhibit 210: Multnomah County Medical Examiner Forensic Examination Report, Allen Walker, 5/13/23

Exhibit 211: Multnomah County Medical Examiner Forensic Examination Report, Martin Franklin, 6/16/23

Exhibit 212: MCSO Jail Call Recording Policy

Exhibit 213: Clackamas Co. Body Scanner Purchase Order

Exhibit 214: Multnomah County Body Scanner Invoices, Paid

7. Attached as additional exhibits to this declaration but filed separately under seal pursuant to the Stipulated Protective Order (ECF 12) are true and correct copies the following exhibits, produced by Defendants' counsel in discovery:

Exhibit 204: Multnomah County Medical Examiner Forensic Examination Report, David Chilton, 2/3/13

Exhibit 205: Lacey 3/22/15 Incident Report

Exhibit 206: Multnomah County Medical Examiner Forensic Examination Report, Lloyd Vernig, 7/18/15

Exhibit 207: Lacey Strip Search 3/8/15

Exhibit 208: Overdose Incident Report, 3/9/15

Exhibit 215: Body Scanner Found Contraband Reports

I hereby declare that the above statement is true to the best of my knowledge and belief,
and that I understand it is made for use as evidence in court and is subject to Penalty for perjury.

RESPECTFULLY SUBMITTED this 5th day of April, 2024

A handwritten signature in black ink, appearing to read 'J. Piucci', with a horizontal line extending to the right.

Joe Piucci, OSB No. 135325
Of Attorneys for Plaintiff